IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2880 of 2005

Between:

A. Brahmanandam S/o. V. Raghava Sarma,Senior Personel Officer (Rtd)
GDK, OC.II RG.IV, Singareni Collieries Company Limited, R/o. D.No. 20-3/1-57,
Chintachetla Bazar, Ayodhya Nagar, Vijayawada, Krishna District.

..... PETITIONER

AND

The Singareni Collieries Company Limited, Singareni Bhavan, Red Hills,
Post Box No. 18, Khairatabad, Hyderabad. Rep. by its Chairman & Managing Director.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondent in not releasing the balance of salary for the period the petitioner was under suspension between 9-9-1996 to 8-6-1999 as being arbitrary, illegal and unconstitutional and issue a consequential direction directing the respondent to forthwith release the balance of salary payable to petitioner for the period of suspension between 9-9-1996 to 8-6-1999 with due increments for the said period and encashment for the privilege leave and sick leave earned for the suspension period.

Counsel for the Petitioner:MR.P.VENKAT RAO

Counsel for the Respondent: MR.N.KRISHNA RAO

The Court at the admission stage made the following O R D E R:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondent in not releasing the balance of salary to the petitioner for the period

under suspension i.e., from 09.09.1996 to 08.06.1999 as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents.

Admittedly, the respondent Company has to take appropriate decision with regard to payment of salary for the suspension period i.e., from 09.09.1986 to 08.06.1999. The petitioner made representation on 30.10.2004 for payment of salary from 09.09.1986 to 08.06.1999. In the departmental proceedings, no order has been passed with regard to payment of salary for the suspension period.

Therefore, without going into merits of the case, I feel it appropriate to dispose of the writ petition directing the respondent to take appropriate decision in accordance with the rules on the representation dated 30.10.2004 made by the petitioner within a period of two months from the date of receipt of a copy of this order. No costs.

21.02.2005

Note:CC in two days

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To

1. The Chairman & Managing Director, Singareni Collieries Company Limited, Singareni Bhavan, Red Hills, Post Box No.18, Khairatabad, Hyderabad.
2. 2 CD copies